

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

November 17, 2009

Charles R. Fulbruge III
Clerk

No. 09-30571
Summary Calendar

ANTHONY C. PITRE

Plaintiff - Appellant

v.

NATHAN CAIN; DR. JOHN CRAWFORD,

Defendants - Appellees

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:08-CV-1894

Before REAVLEY, DAVIS, and HAYNES, Circuit Judges.

PER CURIAM:*

The judgment of the district court is affirmed. Mr. Pitre has been given medical care, but he refuses to take medication which results at times in physical problems. Evidence of conscious indifference is not presented. The report of the magistrate judge dated April 29, 2009 explains the reasons for dismissal.

AFFIRMED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.